

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FILED ELECTRONICALLY

-----X
THE GAP, INC. and GAP (APPAREL) LLC,

Plaintiffs,

-against-

G.A.P. ADVENTURES INC.,

Defendant.
-----X

07 Civ. 9614 (AKH)

ECF CASE

**DECLARATION OF BRUCE P.
KELLER IN SUPPORT OF GAP'S
MOTION IN LIMINE TO ADMIT
TESTIMONY OF ANITA VOTH**

DEBEVOISE & PLIMPTON LLP
919 Third Avenue
New York, New York 10022
(212) 909-6000
*Attorneys for Plaintiffs The Gap
Inc. and Gap (Apparel), LLC*

Bruce P. Keller declares:

1. I am a member of the bar of the State of New York, a member of the bar of this Court, and a member of Debevoise & Plimpton LLP, counsel to The Gap, Inc. and Gap (Apparel) LLC (“Gap”) in this matter. I submit this declaration on personal knowledge in support of Gap’s motion *in limine* to admit the testimony of Anita Voth.

2. A true and correct copy of the deposition transcript of Anita Voth, dated December 2, 2010, is attached as Exhibit 1.

3. A true and correct copy of excerpts from the deposition transcript of Bruce Poon Tip, dated January 7, 2009, is attached as Exhibit 2.

4. A true and correct copy of the Affidavit of Bruce Poon Tip, dated November 19, 2009, filed in *The Matter of an Opposition by Gap (ITM) Inc., The Gap, Inc. And Gap (Canada) Inc. to Application No. 1,286,107 for the Trade-mark G.A.P. Adventures* is attached as Exhibit 3.

5. A true and correct copy of Applicant’s Responses to Opposer’s Interrogatories 1-30, dated March 12, 2007, filed in *Gap (Apparel) LLC v. G.A.P. Adventures Inc.*, Opp. No. 91175017, is attached as Exhibit 4.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at New York, New York this 27th day of April, 2011.

/s/ Bruce P. Keller
Bruce P. Keller